

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

DOUGLAS D. DE MASI, SR.,

Plaintiff,

v.

**COUNTRYWIDE HOME LOANS, INC.,
ANGELO R. MOZILO, and JILL WOSNAK**

Defendants.

08 Civ. 546 (SCR) (GAY)

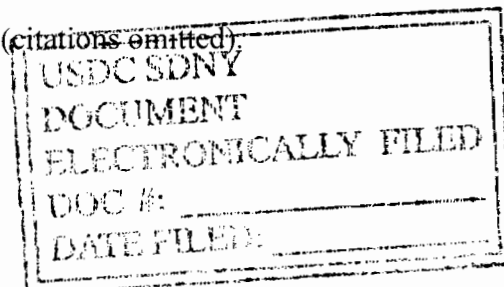
**MEMORANDUM ORDER
ACCEPTING REPORT
RECOMMENDATION**

STEPHEN C. ROBINSON, UNITED STATES DISTRICT JUDGE.

The plaintiff, Douglas D. De Masi, Sr., brought this action in New York State Supreme Court, Dutchess County, against Countrywide Home Laons, Inc, Angelo R. Mozilo, and Jill Wosnak (collectively, the “defendants”). On January 22, 2008, the defendants removed the case to federal court, pursuant to 28 U.S.C. § 1441. Mr. De Masi subsequently moved to remand on the ground that his Complaint asserts no federal claim. The matter was referred to United States Magistrate Judge George A. Yanthis, and he has issued a Report and Recommendation.

Under to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure Rules 72(b) and 6(d), the parties had a right to file objections to the Report and Recommendation within thirteen working days from October 1, 2008. The parties have not filed objections.

In reviewing a Report and Recommendation, a district court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C §636(b)(1)(C). To accept a Report and Recommendation to which no timely objection has been made, a district court need only satisfy itself that “there is no clear error on the face of the record.” *Nelson v. Smith*, 618 F. Supp. 1186, 1189 (S.D.N.Y. 1985) (citations omitted).



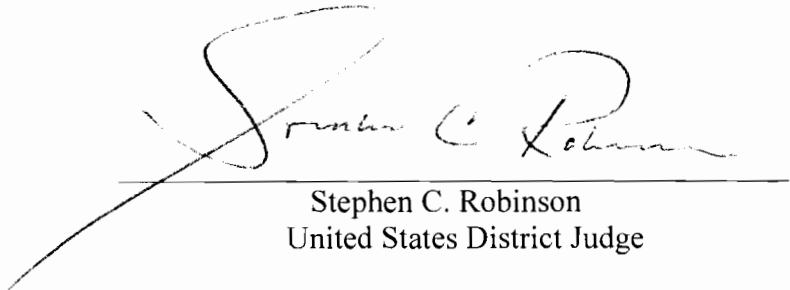
This Court has reviewed Judge Yanthis's well-reasoned Report and Recommendation and has determined that there is no clear legal error on the face of the record. Accordingly, this Court adopts the Report and Recommendation.

The Clerk of the Court is directed to close the case, including docket entry number 6.

It is so ordered.

Dated: January 12, 2009

White Plains, New York



Stephen C. Robinson
United States District Judge